

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

PATSY FERCHO,

Plaintiff,

vs.

UNITED STATES OF AMERICA,  
JENNY L. NELSON,

Defendants.

CV 18-86-BLG-SPW-TJC

**ORDER**

Currently pending before the Court is Defendant Jenny L. Nelson's Motion to Dismiss. (Doc. 10.) On November 20, 2018, Plaintiff filed a Second Amended Complaint. (Doc. 28.) In light of filing of the Second Amended Complaint, Defendant Nelson's Motion to Dismiss is **DENIED without prejudice as moot**.

**IT IS ORDERED.**

DATED this 27th day of November, 2018.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge